

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

CRAIGVILLE TELEPHONE CO. d/b/a	)	
ADAMSWELLS; and CONSOLIDATED	)	
TELEPHONE COMPANY d/b/a CTC	)	
	)	
Plaintiffs,	)	No. 1:19-cv-07190
	)	
vs.	)	Hon. Sharon Johnson Coleman
	)	Magistrate Judge Jeffrey T. Gilbert
T-MOBILE USA, INC.	)	
	)	
	)	
Defendant.	)	

**UNOPPOSED MOTION TO EXTEND DEADLINE FOR  
PLAINTIFFS' REPLY IN SUPPORT OF THEIR MOTION FOR  
APPOINTMENT OF A PRETRIAL MASTER FOR DISCOVERY**

COME NOW Plaintiffs, Craigville Telephone Co. d/b/a AdamsWells and Consolidated Telephone Company d/b/a CTC ("Plaintiffs"), on behalf of themselves and a class of similarly-situated companies, and respectfully move this Honorable Court for an order modifying the Court's minute entry dated February 13, 2023 (ECF 357) (the "Minute Entry") to extend the deadline for Plaintiffs' Reply in Support of Their Motion for Appointment of a Pretrial Master for Discovery (the "Special Master Motion") (ECF 347) to within three business days of Plaintiffs' receipt of Inteliquent, Inc.'s ("Inteliquent") response to Plaintiffs' third-party subpoena seeking production of certain call detail records ("CDRs") that had been the subject of a prior request for production served on Inteliquent while it was a party. (Ex. 1, Plaintiffs' CDR Subpoena.) Plaintiffs assert that CDRs are an essential source of evidence in this case with respect to causation, damages, and identification of class members.

While Defendant T-Mobile USA, Inc. (“TMUS”) does not agree with all assertions Plaintiffs make in this motion, including the assertion in the final sentence of the preceding paragraph, it does not oppose the requested extension.

In support of this Motion, Plaintiffs state as follows:

1. On January 26, 2023, Plaintiffs filed the Special Master Motion. (ECF 347.) Part of the grounds for that motion included anticipated upcoming discovery motions practice concerning, among other things, CDR discovery. (*See id.* at 11.) On January 27, 2023, Magistrate Judge Gilbert set the briefing schedule on Plaintiffs’ Special Master Motion and directed Defendants to respond by February 10, 2023 and Plaintiffs to reply by February 17, 2023. (ECF 348.)

2. On February 9, 2023, TMUS filed an Unopposed Motion to Extend Deadlines, including, *inter alia*, the briefing schedule for the Special Master Motion. (ECF 355.) On February 13, 2023, the Court granted TMUS’s motion and directed TMUS to respond by February 15, 2023 and Plaintiffs to reply by February 28, 2023. (ECF 357.)

3. Also on February 9, 2023, following the Court granting Inteliquent’s Motion for Judgment on the Pleadings (ECF 354), Plaintiffs emailed counsel for Inteliquent and TMUS advising that Plaintiffs intended to serve a subpoena on Inteliquent for production of the same CDRs the parties had been negotiating prior to Inteliquent’s dismissal and requesting a meet and confer. (*See Ex. 2*, Email from C. Hinger to M. Pullos and M. Mervis.)

4. On February 20, 2023, Plaintiffs served their subpoena for CDRs on Inteliquent. (*See Ex. 3*, Email and Subpoena from J. Baker to M. Pullos.) On February 22, 2023, TMUS served a similar subpoena on Inteliquent seeking CDRs. (*See Ex. 4*, Email and Subpoena from A. Gordon to M. Pullos.)

5. On February 22, 2023, counsel for Plaintiffs, TMUS, and Inteliquent participated in the meet and confer Plaintiffs had requested on February 9, 2023 regarding CDR discovery. Plaintiffs raised the significance of the timing of CDR production in light of the Joint Status Report due to the Court on March 6, 2023 and the current close of discovery on March 15, 2023. Counsel for Inteliquent advised that Inteliquent intends to respond to the subpoena with its positions prior to the return date of March 6, 2023. Plaintiffs expect Inteliquent's written response will impact the positions they take in their reply in support of the Special Master Motion because before it was dismissed from the case, Inteliquent repeatedly advised Plaintiffs that if it was dismissed, it would require payment of costs to obtain its CDRs, which Plaintiffs believe is likely to give rise to new and additional disputes. However, if Inteliquent agrees to produce the CDRs in accordance with the agreements they had already reached previously, there could be fewer disputes for a potential special master to resolve and to the extent Plaintiffs' motion forecasted CDR discovery disputes, Plaintiffs would, in candor, need to update the Court if that ground for a special master was mitigated.

6. To be efficient and avoid additional supplemental briefing, Plaintiffs proposed to TMUS deferring their reply until three days after receipt of Inteliquent's response to the subpoena. TMUS indicated it would not oppose such extension.

WHEREFORE, Plaintiffs respectfully request that the Court modify its Minute Entry and issue an order granting the following relief:

- (i) Plaintiffs shall file their reply in support of their Motion for Appointment of a Pretrial Master for Discovery within three business days after receipt of Inteliquent's response to Plaintiffs' CDR subpoena.

Dated February 24, 2023

Respectfully submitted,

/s/ David T.B. Audley

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 24th day of February, 2023, I served the foregoing Consent Motion to Extend Deadline for Plaintiffs' Reply in Support of Their Motion for Appointment of a Pretrial Master for Discovery via the Court's ECF system on all counsel of record.

By: /s/ David T.B. Audley